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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,547	01/25/2002	Eric Wolfgruber	02-121	3047

7590

08/01/2003

Gregory P. LaPointe  
Bachman & LaPointe, P.C.  
Suite 1201  
900 Chapel Street  
New Haven, CT 06510-2802

EXAMINER

ZIMMERMAN, JOHN J

ART UNIT

PAPER NUMBER

1775

17

DATE MAILED: 08/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b> 10/057,547	<b>Applicant(s)</b> WOLFSGRUBER ET AL.	
	<b>Examiner</b> John J. Zimmerman	<b>Art Unit</b> 1775	

All participants (applicant, applicant's representative, PTO personnel):

- (1) John J. Zimmerman. (3) \_\_\_\_\_  
(2) Gregory P. LaPointe (Reg. No. 28,395). (4) \_\_\_\_\_

Date of Interview: 29 July 2003.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 11-20.

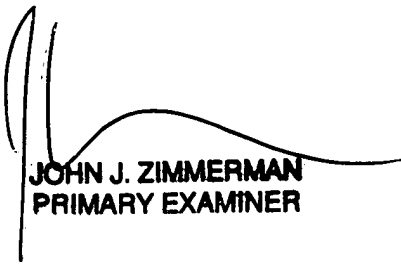
Identification of prior art discussed: Valdo.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
**JOHN J. ZIMMERMAN**  
**PRIMARY EXAMINER**

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. LaPointe discussed options of amending the claims to distinguish over the Valdo reference. One option presented by Mr. LaPointe would possibly be amending the claims to recite that the article was produced by foaming a powder. On this option, the examiner noted that applicant would have to provide evidence that the process limitation (in the article claims) would produce a patentably distinct final product from the product of the prior art. In any event, the examiner noted that Valdo clearly envisions the use of any conventional foaming process (e.g. see patents cited in Valdo; column 3, line 41 - column 4, line 7) and using metal powder/foaming agent mixtures is fairly conventional in the current art and would not likely be a patentable distinction.